

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

ADAM ALFRED MUSIAL LONG et al.

Serial No. 10/595,443

Filing Date: April 20, 2006

For: **QUALITATIVE DATA ANALYSIS  
SYSTEM AND METHOD**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.47**

Come now the Applicants in the above-identified utility application, and respectfully petition the Commissioner of Patents and Trademarks to receive the completion of all formal filing requirements, the enclosed Declaration, which is not signed by inventors Linda Godfrey and Kerry Leigh Hicks.

The enclosed Declaration establishes that inventors Godfrey and Hicks are recognized to be joint inventors of the system and method set forth in the above-identified utility application and that efforts to obtain these inventors' signatures on the requisite filing documents have met with no success, as also attested by the enclosed Declaration of Martin Earley.

Inventors Godfrey and Hicks were formerly employed by PSR International Pty Ltd, and the company has been unable to locate them for the purpose of obtaining their signatures on the Inventors' Declaration.

The invention claims priority to PCT/AU2004/001451, which itself claimed priority to Australian Application 2003905806.

It is respectfully submitted that these facts, together with the showing in the enclosed Declaration of Martin Earley, make it clear that Applicants have met all of the requirements under 37 CFR 1.47.

Wherefore, it is respectfully requested that the Commissioner receive and grant this petition for the purposes of filing this application without the signature of inventors Godfrey and Hicks.

Respectfully submitted,



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STATUTORY DECLARATION

*Statutory Declarations Act 1959*

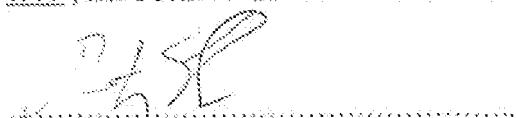
AUSTRALIA

I, Martin Gerard Earley, c/- 4/121 William St Melbourne Victoria 3000 Australia a Registered Patent Attorney and Registered Trade Mark Attorney of Mills Oakley Lawyers at the aforementioned address make the following declaration under the *Statutory Declarations Act 1959*:

1. I am the Australian Patent Attorney for QSR International Pty Ltd and have been instructed to have our US attorney file documents on our behalf with regard the US application no. 10/595,443 which is the US national phase of PCT/AU2004/001451 filed on 22 October 2004 and I make this declaration from my records and my advice on this matter and by my discussions with Mr John Owen the CEO of QSR International Pty Ltd.
2. The inventors who are the applicants worked as a team on this matter prior to filing of the PCT application in 2004. Due to the work arrangements any IP rights were transferred by reason of employment or implied or written assignment to QSR International Pty Ltd and therefore that company filed the PCT application on 22 October 2004 and the priority Australian provisional patent application on 22 October 2003.
3. I have been advised that the applicant company QSR International Pty Ltd no longer employs Linda Godfrey and Kerry Leigh Hicks and no longer have any contact details for those people and therefore cannot obtain confirming signatures on the declaration and assignment documents.

4. However 3 of the 5 of the group have signed the required forms, which show the effect of the law on the ownership of the invention, is clearly from all 5 of the inventors to QSR International Pty Ltd.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the Statutory Declarations Act 1952, and I believe that the statements in this declaration are true in every particular.



*Signature of person making the declaration*

Declared at *Melbourne*

on *Tuesday, 12 December 2006*

Before me,



*Signature of person before whom the declaration is made*

*Full name, qualification and address of person before whom the declaration is made:*

*Warren Goodwin Chandler*

*4/121 William St., Melbourne, Victoria 3000.*

*Being a person registered as a Patent Attorney under Chapter 20 of The Patents Act 1990.*

*Note 1* A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the Statutory Declarations Act 1952.

*Note 2* Chapter 2 of the Criminal Code applies to all offences against the Statutory Declarations Act 1952 — see section 5A of the Statutory Declarations Act 1952.